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Standing Committee on Planning, Environment and Territory and Municipal Services.  
Legislative Assembly for the ACT  
PO Box 1020  
Canberra, ACT 2601

### **Draft Variation to the Territory Plan No 343**

#### **Residential blocks surrendered under the loose fill asbestos insulation eradication scheme**

Dear Hamish,

I am a resident and practicing Architect in the ACT and I support the proposed changes to the Territory Plan in principle. I have some concerns where the changes go too far and some where they do not go far enough. The Mr Fluffy blocks are scattered across the city and undoubtedly there will be some located close to me. I anticipate that there will be some short term impact during the construction period. I acknowledge that the ACT Government in paying for the Mr Fluffy scheme needs to recuperate as much revenue as possible to offset the cost to the whole community. My concern is more directed to the future of the city and sustainability of our community for the long term.

With or without these proposed changes, these blocks will be built on. They will be single or multi-unit and the industry has the capacity to be able to deliver the rebuild. What is important here is the discussion that the community on a larger scale has to have about what we want our suburbs to be into the future.

Perimeter Green Field expansion is necessary for providing choice but has its limitations in the long term. It is a fundamental necessity that our focus needs to turn back inward and look to better utilization of our incredibly generous open space regions and reinvigorate our suburbs as the housing stock passes its life expectancy. To maintain Canberra's character as the bush capital, retaining a large chunk of our open space is a necessity. That connection is fundamental to our lifestyle for recreation and to allow the city to breathe. It is fair to say though that some of these areas can be redeveloped or have redevelopment managed in coexistence. Many of our suburbs have been over engineered with infrastructure. Redevelopment of these areas would have minimal impact on the surrounding open space network while allowing the city to grow with the population anticipated. Increasing the population within the already developed areas will take up the slack in areas that are over serviced and improve the viability and efficiency of those same services. If we accept this as we inevitably must, what does that mean for our suburbs and what will they look like?



The original Plot Ratio density the suburbs were developed to was 35%. The scale density has been increased to 50% allowing larger buildings and footprints while allowing for adequate open space.

Building larger houses is not the same as adding additional dwellings which bring additional families and people for real city densification. Canberra is an extremely low density city. Increasing the number of households in our suburbs is a necessity for the future to maintain viable services and communities.

It is critical that we promote opportunities for young families to be able to live in our ageing suburbs to keep schools, public transport and shops sustainable. For this to happen we need to encourage turnover of properties. As families grow up and move away, household sizes decrease in our larger properties. Enabling our aging population to relocate to appropriate sized and designed houses in our suburban cores or RZ2 areas will free up the outer ring of RZ1 for young families. This is, “age in community” rather than “age in place”.

Encouraging opportunities for increasing the number of families living in our RZ1 areas is a step forward to increase the density of our city. If an appropriate set of rules can be established for the Mr Fluffy blocks and our communities can accept it then it could follow that the same rules should be adopted for all of our RZ1 areas. This policy should be about more than a simple one off money grab to lessen the financial impact on the community. It should be an informed and visionary planning direction that builds the city of the future.

Successful RZ1 redevelopment needs to be supported by bold and visionary planning in our RZ2 core areas to further enable our city to evolve, restructure and look to the future. A prosperous healthy city will enable the retention of the high level of lifestyle and environment that we currently enjoy.

Retaining the character of our suburbs can be achieved with increased density. Our new suburbs are already built to much higher dwelling per hectare numbers. Change needs to be controlled though with appropriate rules that encourage the type of buildings that we want. They need to be proactive rather than the reactive rules that we have. They need to encourage quality rather than only restricting the impact of the lowest common denominator in our building industry. The Territory Plan with relation to medium density has evolved not to be a visionary planning document for the future but a collection of individual reactions to slow down or prevent redevelopment. Using these same rules to try and encourage development in the RZ1 areas won't work. They don't work now in the RZ2 areas.

Dual occupancy development is an appropriate form of redevelopment in our RZ1 areas where significantly higher dwelling numbers should be encouraged. Higher still in our RZ2 areas. Dual occupancy on an appropriate sized block with a design that is sympathetic to the local environment can be designed to not look at all out of place. In



fact we have many large blocks that can sustain greater numbers of dwellings than two and we should seriously look at removing the number limitation and instead concentrate on building within the 50% plot ratio or a number of dwellings related to block size as in the RZ2 area.

We need to come to terms with the type of houses we are needing to encourage in our suburbs in order to keep them sustainable. For example in our RZ2 core areas we could look to encourage two to three bedroom dwellings with small or no gardens so that they are easy to afford and look after for our young and our retired. In our RZ1 areas we need to encourage families so we should be looking to three bed and up.

What size block should we be looking at that can happily support multiple three to four bed homes? Corner blocks make for ideal redevelopment sites. They allow for a new dwelling to face each individual street. Services can be easily divided and the blocks can be either sub-divided or Unit Titled with ease. Corner blocks can be smaller in area and achieve better results than straight blocks. They do however tend to rely on conversion of the front yard for much of the required private open space. Straight blocks however due to the access requirements tend to require larger areas with predominately one building behind the other.

In RZ1 dual occupancy can be built already from 800m<sup>2</sup> up. The difference is in subdividing. It is not permitted. This allows for Granny flats and the like which should be encouraged under the one lease. As a policy this works but the rules within which the design has to be done don't work well.

While 700m<sup>2</sup> blocks for multiple units is appropriate in RZ2 with higher density and smaller dwellings, successful integration of larger dwellings in the RZ1 areas would require a higher minimum block size. 800m<sup>2</sup> for corner blocks and potentially between 800m<sup>2</sup> and 900m<sup>2</sup> would be appropriate for other blocks. Smaller blocks below 800m<sup>2</sup> should still have the ability to be considered on their merit provided they can achieve a desirable outcome that meets the design standards.

Given the make-up of our suburbs it should be reasonable to assume that 1/2 of the Mr. Fluffy blocks would be over 800m<sup>2</sup>. Perhaps 1/3 would be over 900m<sup>2</sup> and 1/5 would be over 1000m<sup>2</sup>.

Starting with the Mr Fluffy blocks, this would make half of the available blocks suitable for multiple dwellings. Of these the take up will be split between single and multi-unit development. The argument that this policy will ruin our suburbs is nonsense. The actual number will be low and as a percentage of the individual suburbs almost insignificant. If this policy can be implemented for all RZ1 areas the take up will be over a long period of time and apart from opportunistic hysteria almost undetectable.

The benefits for our city into the future and the following generations that will inhabit our suburbs far out way the immediate shortsightedness of a small few.



The 35% restriction on these sites should be lifted so there is a uniform 50% through the suburb.

The minimum frontage restriction should be deleted. The best blocks for Dual Occupancy are often the wedge shaped ones with very large back yards.

Standard RZ1 setbacks should apply to the whole block.

700m<sup>2</sup> is a difficult block size to encourage successful dual occupancy in the RZ1 area. That said, it can always be done with higher quality design. The suburban core or RZ2 area is where we have a clear planning policy to increase density and encourage redevelopment and as a tradeoff protect the RZ1 areas so there is a mix of properties available. RZ2 needs to actually increase further in density to be more like RZ3 in many areas. In both cases for Dual Occupancy to be successful the rules within which to work need to be changed to allow effective outcomes.

So that developments that occur around the cutoff block size can be considered on their merit, criteria should be developed in addition to the rules. This should be extended to any size block where a desirable outcome can be proven.

Even with appropriate rules in place the restrictions on the lease and lease variations remain probably the largest blockage. To encourage redevelopment under the lease, new 99 year leases should be issued for each site the government is selling with the new number of dwellings already listed on the lease. The numbers should be based on what the block and area can sustain rather than a blanket policy of two.

If a large block can accommodate more than two dwellings within the 50% density control then there should be provision to allow this to happen on merit.

Rules around block consolidation should be considered for redevelopment of neighbouring sites.

Trees need to be considered. Trees in the public realm that are residual old growth or exceptional specimens should be protected. Trees on private land that have been planted by the householder should be unprotected. This simple change in policy would free up many blocks that are undevelopable and benefit the community as a whole. Trees are important to our city and provisions like tree replanting and tree offset planting should be looked into. We don't want to discourage residents from planting trees that could be a limitation in the future or encourage them to cut them down before

The core principle behind this policy is redevelopment. It should be supported wholeheartedly. It should have a level of control that is not so restrictive that it discourages it completely as in the past. The mood toward development needs to progress towards supportive and welcoming from both regulators and the community to maintain prosperity in our property market and prosperity in the community. Prosperity in our community will enable investment in social infrastructure and services that will make Canberra a much sort after city to live in and relocate to.



Multiple dwellings on smaller RZ1 blocks will limit opportunities for passive solar design and may overshadow sun access for existing houses and gardens in the street is an argument that is circulating. The truth is that the modifications introduced under DV 306 are so restrictive on overshadowing that new development will perform to a much higher standard than existing dwellings. The new envelope will protect neighbours from overshadowing whether the development next door is single or multiple residence

Draft Variation to the Territory Plan No. 343 seeks to make five amendments to the planning permissions for Mr Fluffy blocks in RZ1 (suburban) zones. They are:

1. Permit subdivision for unit titling for dual-occupancy buildings [the same as RZ2 zones].

### **Supported**

2. Reduce the block size for dual occupancy development from 800m<sup>2</sup> to 700m<sup>2</sup> [the same as RZ2 zones].

**The principal of increasing flexibility for redevelopment is sound. However as the thresholds reduce the quality of the end product needs to increase. There should be no lower limit for redevelopment. Proposals less than 800m<sup>2</sup> should be considered on their merit. In order for this to happen the current rules need to be substantially reworked.**

3. Alter the plot ratios to match the provisions for RZ2 zones [ie. allowing the dwellings to occupy up to 50% plot ratio when both dwellings front the street and a 35% plot ratio when one dwelling is behind the other].

**Supported - with the amendment to remove the 35% Plot Ratio Restriction. All development should have the opportunity to achieve 50%**

4. Limit the building height to single story for any dual occupancy dwelling to which a 35% plot ratio will apply [for blocks where the 50% plot ratio is permitted, two double storey dwellings will be allowed, the same as RZ2 zones].

**Not Supported – There should be no restriction under the rules. RZ1 height and setback rules should apply to all buildings in the zone.**

5. Adding a criteria that dual occupancy dwellings must meet architectural standards.



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**Supported – For this to be palatable to the community and build prosperity, higher density development should be held to a higher standard of design.**

If the opportunity should arise I would be more than happy to supply additional information in support of this submission.

Regards

Glen Dowse  
Director

HIA Residential Designer of the Year **2014**, 2013, 2012, 2010, 2009, 2006, 2004  
MBA Professional of the Year **2013**

Date 24<sup>th</sup> August 2015